



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/007,739	11/08/2001	James C. Copeland	OXR 2 0025

CONFIRMATION NO. 4971

FORMALITIES LETTER

\*OC00000007728248\*

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP  
7th Floor  
1100 Superior Avenue  
Cleveland, OH 44114-2516COPY OF PAPERS  
ORIGINALLY FILED

05/28/02

Date Mailed: 03/27/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

111-NAILE

06/21/02 11:36 FAX 216 241 1666

FAY SHARPE FAGAN MINNICH

008

Page 2 of 2

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2002-06-21 12:00:48 PM



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
10/007,739	11/08/2001	Copeland, James	OXR 2 0025

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP  
7th Floor  
1100 Superior Avenue  
Cleveland OH 44114-2516

**Title:** Medium composition, method and device for selectively enhancing the isolation of anaerobic microorganisms contained in a mixed sample with facultative microorganisms

Date Mailed:06/17/2002

## Request for Substitute Papers

The papers filed on 05/20/02 (certificate of mailing dated 05/06/02) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated **703-746-4060(OIPE)**.

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. **A copy of this notice should be included with the reply.**

-----  
The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: \_\_\_\_\_ Registration No.: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP****600 South Avenue West  
Westfield, New Jersey 07090****Telephone: (908) 654-5000****Facsimile: (908) 654-7866****FACSIMILE TRANSMITTAL**

	<b>TO:</b>	<b>FROM:</b>
	OIPE	Robert B. Cohen
<b>FIRM/COMPANY:</b>	U.S. PATENT & TRADEMARK OFFICE	
<b>FAX:</b>	(703) 746-4060	908 654 7866
<b>PHONE:</b>		908 518 6316
<b>DATE:</b>	June 21, 2002	<b>CLIENT NO: SCEIYO</b>
<b># PAGES (TOTAL):</b>	7	<b>MATTER NO.: 15</b>
		<b>ORIGINAL MAILED: No</b>

**Re:****Message:**

**NOTICE:** The information contained herein is intended only for the addressee identified above. It may be or may include material which is confidential, attorney-client privileged, attorney work product, copyrighted, and/or inside information. If you are not the intended recipient, or a person responsible for delivering this message to the intended recipient, you are hereby notified that the unauthorized use, disclosure, distribution or copying is strictly prohibited and may be in violation of court order or otherwise unlawful. If you have received this transmission in error, please immediately notify us at (908) 654-5000 (Collect, if necessary) and return this document to us by mail.

LBC



UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20531  
 www.uspto.gov

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
10/079,435	02/20/2002	Hashimoto, Minoru	SCEIYO 3.0-121

530

 LERNER, DAVID, LITTENBERG,  
 KRUMHOLZ & MENTLIK  
 600 SOUTH AVENUE WEST  
 WESTFIELD NJ 07090

Title: Audience rating survey system

Date Mailed: 06/17/2002

## Request for Substitute Papers

The papers filed on 05/21/02 (certificate of mailing dated 05/07/02) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated **703-746-4060(OIPE)**.

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. A copy of this notice should be included with the reply.

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: Robert B. CohenRegistration No.: 32,768Signature: [Handwritten Signature]Date: Jun 21, 2002

RECEIVED

JUN 20 2002

LDLK&amp;M

10/007739 0410



FAY, SHARPE, FAGAN, MINNICH & McKEE LLP  
1100 SUPERIOR AVENUE, SUITE 700  
CLEVELAND, OHIO 44114-2518  
(216) 861-5582

DATE: June 21, 2002

TO: USPTO

ATTENTION: Box Duplicate OIPE

FACSIMILE NO.: 703-746-4060

FROM: Richard M. Klein

RE: Our Reference: OXR 2 0025

Total number of pages (including this cover sheet): 31

Please call us immediately at (216) 861-5582 if the telecopy you receive is incomplete or illegible. Our facsimile numbers are (216) 241-1666 and (216) 241-5147.

Comments:

---

---

---

---

---

The documents accompanying this facsimile transmission include information from the firm of Fay, Sharpe, Fagan, Minnich & McKee that might be legally privileged and/or confidential. The information is intended for the use of only the individual or entity named on this cover sheet. If you are not the intended recipient, any disclosure, copying, or distribution of these documents, or the taking of any action based on the contents of this transmission, is prohibited. If you have received this transmission in error, these documents should be returned to this firm as soon as possible, and we ask that you notify us immediately by telephone so we can arrange for their return to us without cost to you.



033-02  
NO.

Inventor/Applicant: COPELAND ET AL Pat. No. 70/057,739  
 Title: A medium composition, method and device Ser. No. 7-08-01  
 Attorney Docket No. 033-02 Initials LSK Date 05-06-02

☒ **PATENT/DESIGN APPLICATION** ☐ **AMENDMENT** (Due                     )  
   New Application Transmittal:                      Transmittal(s)  
   Cont.              Div.              C-I-P              Provisional              Extension of Time (For              month(s))  
   CPA Transmittal              PCT Request ☐ PCT DEMAND (Due             )  
   Declaration/Power of Atty. ☒ CHECK(S) in Amount \$ 130<sup>00</sup>  
   pgs. Specification              40<sup>00</sup>  
   pgs. Claims              ☐ OTHER                       
     total              independent               
   pgs. Abstract               
   Sheet(s) of drawing(s) 13 CORRECTED  
                  formal              informal               
   Preliminary Amendment               
   Request and certification under 35 U.S.C. 122(b)(2)(B)(i)               
   Claim for Right of Priority               
   Priority document(s)               
   Small Entity Statement(s)               
   Final Fee              Publication Fee               
   Response to missing parts             

☒ **ASSIGNMENT**  
   Transmittal:              Confirmatory               
☐ **INFORMATION DISCLOSURE STATEMENT**  
   PTO Form 1449              Retis.             

**DOCKETED**

RECEIPT IS HEREBY ACKNOWLEDGED

O I P E  
MAY 20 2002  
PATENT & TRADEMARK OFFICE



FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP		505
PAY TO THE ORDER OF	COMMISSIONER OF PATENTS	65-55/412 13370
DATE	04/29/02	
	\$ 130.00	
ONE HUNDRED THIRTY AND 00/100 DOLLARS		
FIRSTMERIT Tower Office www.firstmerit.com		
FOR	QXR 20025	
508653951		





506	00-55/412 13370
DATE 04/29/02	
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP	
COMMISSIONER OF PATENTS	
FORTY AND ----- 00/100 DOLLARS @	
\$ 40.00	
PAY TO THE ORDER OF	
FIRSTMERIT Tower Office	
www.firstmerit.com	
FOR OXR 20025	
506653951	
1:04 12005551	



- 2 -

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Copeland et al.	)	Examiner: Unknown
Serial No.: 10/007,739	)	Art Unit: 1651
Filed November 8, 2001	)	Confirmation: 4971
For: A MEDIUM COMPOSITION, METHOD AND	)	
DEVICE FOR SELECTIVELY ENHANCING	)	
THE ISOLATION OF ANAEROBIC	)	
MICROORGANISMS CONTAINED IN A	)	
MIXED SAMPLE WITH FACULTATIVE	)	
MICROORGANISMS	)	
Date of Notification: March 27, 2002	)	
Attorney Docket No.: OXR 2 0025	)	Cleveland, OH 44114 May 6, 2002

CERTIFICATE OF MAILING

I hereby certify this **RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION; DECLARATION FOR PATENT APPLICATION; CORRECTED DRAWINGS; and 37 CFR 1.16(e) FEE** in connection with U.S. Patent Application Serial No. 10/007,739 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C., 20231 on this 6th day of May, 2002.

By: Lynda S. Kalembe  
Lynda S. Kalembe

COPY OF PAPERS  
ORIGINALLY FILED  
05/20/02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Copeland et al.

Serial No.: 10/007,739

Filed November 8, 2001

For: **A MEDIUM COMPOSITION, METHOD AND  
DEVICE FOR SELECTIVELY ENHANCING  
THE ISOLATION OF ANAEROBIC  
MICROORGANISMS CONTAINED IN A  
MIXED SAMPLE WITH FACULTATIVE  
MICROORGANISMS**

Date of Notification: March 27, 2002

Attorney Docket No.: OXR 2 0025

Examiner: Unknown

Art Unit: 1651

Confirmation: 4971

Cleveland, OH 44114  
May 6, 2002

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

Assistant Commissioner For Patents  
Washington, D.C. 20231

Dear Sir:

In connection with the above-entitled case, please find enclosed: (1) the Patent Office return copy of the Notice to File Missing Parts of Nonprovisional Application issued March 27, 2002; (2) the Declaration For Patent Application for U.S. Application Serial No. 10/007,739; (3) corrected drawings in compliance with 37 C.F.R. 1.84; and (3) the 37 C.F.R. 1.16(e) Surcharge of \$130.00.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

Richard M. Klein  
Reg. No. 33,000  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2518  
(216) 861-5582